



Wiley Rein & Fielding LLP

1776 K STREET NW  
WASHINGTON, DC 20006  
PHONE 202.719.7000  
FAX 202.719.7049

Virginia Office  
7925 JONES BRANCH DRIVE  
SUITE 6200  
McLEAN, VA 22102  
PHONE 703.905.2800  
FAX 703.905.2820

www.wrf.com

January 20, 2004

David J. Kulik  
202.719.7313  
dkulik@wrf.com

31353 U.S. PTO  
10/759256  
012004

**VIA HAND DELIVERY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: New U.S. Utility Application  
Continuation of 09/829,936 filed April 11, 2001  
Inventor: Emmanuel CONSEILLER et al.  
Title: **Polypeptides (MPB1) Capable of Interacting  
With Oncogenic Mutants of the p53 Protein**  
Attorney Docket: ST98033

Dear Sir:

Please accord the enclosed application a filing date and serial number. Applicants hereby claim priority to U.S. application 09/829,936, filed April 11, 2001, which claims priority to international PCT application PCT/FR99/02465, filed October 12, 1999, and priority to prior U.S. provisional application 60/132,331, filed May 3, 1999, and priority to French application FR 98/12754 filed October 12, 1998, each of which are incorporated herein by reference.

The following are attached:

- 1) Utility Application Transmittal Form (4 pages);
- 2) Credit Card Payment Form (1 page)
- 3) Application Data Sheet (3 pages);
- 4) Specification (pages 1-75), 9 pages of Formal Drawings (Figs. 1, 2, 3, 4a, 4b, 5, 6, 7, 8); copy of executed Declaration as filed in parent (4 pages); Sequence Listing (26 pages)
- 5) Preliminary Amendment filed in parent (9 pages)
- 6) Stamped Return Receipt Postcard

If necessary, the undersigned authorizes the Commissioner to deduct required payments from Deposit Account No. 50-1129 during the pendency of this application. Also, if necessary, applicants hereby request any extension of time necessary in parent application 09/829,936 to maintain co-pendency and the undersigned hereby authorizes payment from Deposit Account No. 50-1129.

Respectfully submitted,

David J. Kulik, Esq.  
Reg. No. 36,576  
Attachments



29693

PATENT & TRADEMARK OFFICE

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*Docket No.  
ST98033

Total Pages in this Submission

**TO THE COMMISSIONER FOR PATENTS**Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**POLYPEPTIDES (MBPI) CAPABLE OF INTERACTING WITH ONCOGENIC MUTANTS OF THE p53 PROTEIN**

and invented by:

**Emmanuel CONSEILLER, Laurent DEBUSSCHE and William GALLAGHER**If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☒ **Continuation**   ☐ **Divisional**   ☐ **Continuation-in-part (CIP)** of prior application No.: 09/829,936

Which is a:

☐ **Continuation**   ☐ **Divisional**   ☐ **Continuation-in-part (CIP)** of prior application No.: \_\_\_\_\_

Which is a:

☐ **Continuation**   ☐ **Divisional**   ☐ **Continuation-in-part (CIP)** of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 75 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications *(if applicable)*
  - c. ☐ Statement Regarding Federally-sponsored Research/Development *(if applicable)*
  - d. ☒ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings *(if filed)*
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
80375.0037A

Total Pages in this Submission

**Application Elements (Continued)**

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☒ Formal                      Number of Sheets 9
- b. ☐ Informal                      Number of Sheets \_\_\_\_\_
4. ☐ Oath or Declaration
- a. ☐ Newly executed *(original or copy)*                      ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☐ With Power of Attorney                      ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☒ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CRF)
- b. ☒ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☒ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

9. ☐ Assignment Papers *(cover sheet & document(s))*
10. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
11. ☐ English Translation Document *(if applicable)*
12. ☐ Information Disclosure Statement/PTO-1449                      ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☐ Certificate of Mailing
- ☐ First Class                      ☐ Express Mail *(Specify Label No.):* \_\_\_\_\_

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Total Pages in this Submission

17. ☐ Additional Enclosures (please identify below):

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## P01ULRG/REV06

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
ST98033

Total Pages in this Submission

**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	67	- 20 =	47	x \$18.00	\$846.00
Indep. Claims	3	- 3 =	0	x \$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$770.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$1,616.00

- ☒ A ~~check~~ <sup>payment form</sup> in the amount of \$1,616.00 to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

  
Signature

Dated: January 20, 2004

David, J. Kulik, Registration No. 36,576  
Patent Administration  
Wiley, Rein & Fielding LLP  
1776 K Street, N.W.

CC: